

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO

IN RE: ) CASE NO. 13-17237  
          ) )  
**GAIL and GERALD WAITE** ) CHAPTER 7 CASE  
          ) )  
Debtor(s) ) JUDGE: ARTHUR I. HARRIS  
          ) )

**MOTION TO TURN OVER FUNDS**

Now comes Steven S. Davis, Chapter 7 Trustee, and hereby moves this Honorable Court for an order upon the debtor(s) to turnover certain non-exempt assets which are property of the within Bankruptcy Estate, as set forth herein:

1. Movant is the duly qualified appointed and acting Trustee herein.
2. Pro-rated to the date of filing, the debtor, Gail Waite, was owed \$964.00 in total tax refunds. The debtor also had \$2,874.00 in cash on hand/bank accounts as of the date of filing.
3. The debtor is entitled to claim \$1,675. 00 as exempt.
4. The aforesaid funds are property of this estate pursuant to 11 U.S.C. §541 and subject to turnover pursuant to 11 U.S.C. §542.

**WHEREFORE**, Movant prays for an order upon the debtor(s) to turn over the sum of \$2,163.00, and for such other and further relief to which he may be entitled in law or equity.

Respectfully Submitted,

/s/ Steven S. Davis  
**STEVEN S. DAVIS, Trustee**  
OSB# 0005789  
1370 Ontario Street, #450  
Cleveland, Ohio 44113  
(216) 781-7272 Fax No. (216) 781-3312  
Email: [sdavis@daviscarpa.com](mailto:sdavis@daviscarpa.com)

**CERTIFICATE OF SERVICE**

I certify that on this 25<sup>th</sup> day of March, 2014, a true and correct copy of the Motion to Turn Over was served, via ECF, upon:

Ken Rubenstein, attorney for debtor, at [rubomatic@roadrunner.com](mailto:rubomatic@roadrunner.com)  
United States Trustee at (Registered [address](mailto:address@usdoj.gov))@usdoj.gov

and, by regular U.S. mail, to

Gail and Gerald Waite  
6640 Tupelo Drive  
Bedford Hts. OH 44146

/s/ Steven S. Davis  
**STEVEN S. DAVIS**